

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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**NEW YORK LIFE INSURANCE
COMPANY,**

Plaintiff,

-against-

**GURDEV KAUR SINGH,
RACHPAL SINGH and BALBIR SINGH,**

Defendants.
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MEMORANDUM AND ORDER

05-CV-1785 (FB)

ROANNE L. MANN, UNITED STATES MAGISTRATE JUDGE:

In a letter dated September 28, 2005,¹ defendant/claimant Gurdev Singh requests “an extension of time” to retain counsel. Although the Court had not previously set any deadline for counsel to file a notice of appearance, it will do so now, in view of the fact that a *pro se* non-attorney parent is not permitted to represent the interests of his or her child in federal court. See, e.g., Tindall v. Poultney High Sch. Dist., 414 F.3d 281, 284-85 (2d Cir. 2005); Wenger v. Canastota Cent. Sch. Dist., 146 F.3d 123, 124-25 (2d Cir. 1998) (citing Cheung v. Youth Orchestra Found. of Buffalo, Inc., 906 F.2d 59, 61 (2d Cir. 1990)); Iannaccone v. Law, 142 F.3d 553, 558 (2d Cir. 1998). Therefore, by October 31, 2005, Mrs. Singh either shall cause an attorney to file a notice of appearance on her behalf (as guardian of Ravjinder Singh),² or, if she

¹ Henceforth, copies of all communications with the Court must be served on the other parties.

² Mrs. Singh states in her letter that none of the attorneys with whom she consulted would be available to take on this case until the end of this month. Currently, no court proceeding is

cannot afford to retain counsel, she shall apply to have counsel appointed by the Court on a *pro bono* basis.³

Finally, Mrs. Singh notes that she has received no documents from either Balbir Singh or Rachpal Singh. Balbir Singh advised the Court, at the September 16th conference, that he had no documents relating to the insurance policy at issue. Rachpal Singh represented that he (Rachpal) did have such documents, and he was directed to provide copies to the Court and the other parties by September 29, 2005. The Court has received no documents from him. Rachpal Singh shall, on pain of sanctions, including entry of a default judgment, provide the Court and the other parties with copies of those documents by October 26, 2005, or, by that date, provide a written explanation as to why such documents have not been produced.

The Clerk is directed to docket this Order into the ECF systems and to send copies of the Order, along with Mrs. Singh's letter, to the other defendants, via Federal Express.

SO ORDERED.

**Dated: Brooklyn, New York
October 17, 2005**

/s/
**ROANNE L. MANN
UNITED STATES MAGISTRATE JUDGE**

scheduled for this month (although plaintiff's counsel has requested a pre-motion conference before Judge Frederic Block, the District Court judge).

³ As previously noted, application forms are available through the Pro Se Clerk's Office. See 9/16/05 Calendar Order.